



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

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Planning Board Workshop Draft Minutes

September 16th, 2020

7:00 pm at Community Development Meeting Room & Zoom Video Conference
3 North Lowell Road

Attendance:

Chair, Derek Monson, Present
Vice Chair, Alan Carpenter, excused
Joe Bradley, Present
Jennean Mason, Present
Ruth-Ellen Post, Present, via Zoom video conference
Jacob Cross, Present, via Zoom video conference
Matt Rounds (alternate), Present, via Zoom video conference
Gabe Toubia (alternate), Present, seated for Vice Chair Carpenter until 8:23pm, via Zoom video conference
Tom Early (alternate), Present, seated at 7:18pm, via Zoom video conference
Heath Partington, Board of Selectmen liaison, Present, via Zoom video conference
Dick Gregory- Planning Board Director
Renee Mallett- Minute Taker

The workshop opened at 7:02 with the introduction of members. On March 23rd, because of the Covid-19 pandemic, Governor Sununu created Emergency Order #12. This has relaxed the requirements of RSA 91-A, III(c) and allowed the meeting to be held while still following the CDC guidelines for social distancing. As such many of the board members took part in the meeting via Zoom video conference.

The board reviewed a minor change to the responses to one of the Master Plan survey questions. Mr. Toubia confirmed that respondents could skip questions when taking the survey. The board plans to have the survey live from October 5th through November 5th.

Mr. Earley joined the meeting at 7:18pm.

Ms. Post volunteered to write up some information about the survey to be published in the *Windham Independent*. Mr. Toubia asked about the possibility of having the school board send the link out to their mailing list. Mr. Earley said he had laptops that could be used as additional access points in various town buildings, if needed.

At Ms. Post's questioning Mr. Cross said the SurveyMonkey platform being used would collate all the data gathered. Mr. Rounds asked that all board members could check that data themselves.

Mr. Earley was interested in seeing if respondents could be tracked. Mr. Cross said there was some ability to see what IP addresses were used to take the survey. He said that Mr. Norman had offered to pay

43 for the next tier of SurveyMonkey membership but after looking into it he did not think that would be
44 necessary.

45
46 Ms. Post raised the issue of enforcement of planning ordinances. She thought they should pose the
47 question to other towns to see how this is handled elsewhere. Mr. Gregory suggested asking Attorney
48 Campbell for his opinion when he met with the board later in the month.

49
50 Density within the 55+ age restricted housing overlay, workforce housing, and open space
51 subdivisions was discussed. Mr. Bradley said the density bonuses had originally been created as an
52 incentive to developers to build more affordable units. He said he was only interested in awarding density
53 bonuses to this end.

54 Mr. Toubia cautioned against getting into price controlling. Mr. Bradley said creating affordable
55 housing could be accomplished by limiting square footage rather than trying to control prices.

56 Mr. Rounds said that market forces should be left to take over, except when it came to workforce
57 housing, which is required by the state. Ms. Mason said this would mean no density bonuses.

58 Chair Monson wanted to see open space calculations restricted to only usable spaces- no wetlands
59 or steep slopes. Mr. Bradley thought the term buildable land should be used in place of usable land. Chair
60 Monson said this would need to go onto the ballot in order to be changed.

61 The board agreed to table further discussion on the topics of open space and age restricted housing
62 until Vice Chair Carpenter was present.

63 Mr. Cross said Windham was the only town he knew of that had no density restrictions at all for
64 workforce housing. Several board members disagreed with this statement. Ms. Post said that water and
65 septic limited the density while Mr. Rounds cited the setbacks and well radius restrictions. Mr. Gregory
66 concurred, saying that the soil-based lot sizing used by the town was more stringent in limiting density than
67 the guidelines used by the state. He reminded the board that the town was currently in court over a
68 workforce housing related development.

69 Mr. Cross said he thought workforce housing should be restricted to a limit on the number of units
70 per acre of land. He said he would email the regulations used in other towns to the board.

71 Chair Monson thought this discussion should wait for input from Attorney Campbell considering the
72 ongoing lawsuit. He also referenced a judge's ruling the Windham did not have sufficient workforce housing
73 to meet the state regulations.

74 Mr. Partington said that restrictions already existed due to conditional use permitting, which
75 allowed one duplex or one single family home per lot. Mr. Cross reminded the board of a recent application
76 where an existing single-family home was described as condo. He said this was a huge loophole within the
77 ordinance.

78 Ms. Post agreed that she shared concerns when that application came before the board. However,
79 Ms. Post said that condominiums were very carefully defined by the state and she felt she was hearing a
80 level of panic that was unwarranted. She raised the restraints of soil-based lot sizing as a limiting factor.

81
82 Chair Monson asked about increasing the gallons per minute regarding wells. Mr. Gregory said that
83 was a Selectmen issue not a Planning Board one.

84
85 **Mr. Toubia was excused for the remainder of the meeting at 8:23pm. Mr. Rounds was seated for**
86 **Vice Chair Carpenter from this time until the workshop was closed at 8:42pm.**

87
88 Mr. Bradley asked to confirm that workforce housing developments within the Rural District were
89 limited by soil-based lot sizing. Mr. Gregory said workforce housing required a conditional use permit,
90 though they did not have to prove there was a hardship as in the case of a variance.

91 **Mr, Partington made a motion to accept the minutes of 8-19-20, amended to show that Ms. Post**
92 **voted to go into a non-public session and did not abstain from the vote. Ms. Mason seconded the**
93 **motion. The motion passed with the following roll-call vote:**

94 **Chair Monson: yes**

95 **Mr. Bradley: yes**

96 **Ms. Mason: yes**

97 **Ms. Post: abstain**

98 **Mr. Cross: yes**

99 **Mr. Rounds: yes**

100 **Mr. Partington: yes**

101
102 The workshop was closed at 8:42pm